

REMARKS

Claims 1-29 are pending in the present case. Claim 26 is amended herein. Applicant respectfully requests reconsideration in view of the above amendments to the present application, and the arguments set forth below. No new matter is added herein.

OBJECTIONS TO DRAWINGS

New corrected drawings are required because Figures 1-3 contain "handwritten numerals." Responsively, Applicant submits herewith Replacement Sheets, so marked, in accordance with 37 CFR § 1,121(d). Therein, machine generated numerals are used. Applicant respectfully requests the Examiner's review and approval.

CLAIM OBJECTION

Claim 26 is objected to for an informality relating to its dependency. Claim 26 is amended here to correct the dependency informality. Applicant respectfully requests the Examiner's review and approval.

CLAIM REJECTIONS

Claims 1-29 are rejected under 35 USC § 103(a) over Published US Patent Application No. US 2005/0198063 to Thomas, et al. (hereinafter Thomas) in view of Published US Patent Application No. US 2003/0117280 to Prehn

(hereinafter Prehn). Applicant has reviewed the references cited and respectfully responds with the discussion and request below.

Applicant respectfully points out that the filing date of the above-captioned Application, December 28, 2001, pre-dates the filing date of Prehn, which is December 20, 2001 by approximately 51 weeks. Applicant notes that Prehn claims priority to a provisional application (Serial No. 60/342,705), which is dated December 20, 2001. However, Applicant has no knowledge of the content of that provisional application. Applicant's attempts to access information electronically using the PAIR System of the USPTO in relation to the above captioned Application and the provisional application of Prehn referenced above were unsuccessful.

Thus, Applicant lacks sufficient information to respond substantively to the instant rejection in relation to whether or not the provisional application referenced above, upon which the published Prehn Application relies, could fairly teach, suggest to, or motivate a skilled artisan in the field to practice the embodiments of the present invention recited herein. Therefore, Applicant respectfully requests that, if the Examiner intends to sustain the instant rejection using the Prehn reference, that the Examiner provide Applicant with a copy of the above referenced provisional application related thereto, so that Applicant may fairly and more substantively respond to the sustained rejection. Further, Applicant respectfully requests that, if the Examiner intends to sustain the instant

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Examiner: Murphy, R.L.
Art Unit: 2667

rejection with a subsequent Office Action (OA), that the Examiner does so without making the rejection final, or in the alternative, that the Examiner provide Applicant with an extension of time to reply substantively to the instant rejection.

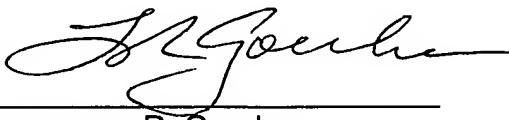
CONCLUSION

Applicant respectfully asserts that Applicant lacks sufficient information in relation to the cited Prehn reference to fairly and substantively respond to the instant rejection. Accordingly, Applicant respectfully requests that the Examiner provide to Applicant a copy of the provisional application referenced above. Further, Applicant respectfully requests an extension of time to frame a more substantive response to the instant rejection or alternatively, that if the Examiner intends to sustain the instant rejection with a subsequent OA, that the Examiner do so without making the rejection final. Please charge our deposit account No. 23-0085, for any unpaid fees.

Respectfully submitted,

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